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14/Rupprecht  
10-5-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: MATSUDA  
Serial No.: 09/222,524  
Filed: December 28, 1998  
For: SEMICONDUCTOR DEVICE  
Group: 2811  
Examiner: N. Parekh DOCKET: NEC N98039 CON

Assistant Commissioner of Patents  
Washington, D.C. 20231

AMENDMENT C

Dear Sir:

This Amendment is being filed in response to the Official Action mailed June 26, 2001.

REMARKS

In the rejection, the Examiner has rejected various of the claims as obvious over the admitted prior art (APA) in view of Rostoker and Higgins, and further in view of Liang, or as obvious from the APA in view of Rostoker and Higgins and further in view of Fulcher and Liang; it is obvious from the APA in view of Rostoker and Higgins and further in view of Liang and Fulcher.

Enclosed herewith is a Declaration Under 37 CFR 1.131<sup>1</sup> which establishes that the Applicant completed the claimed invention before the filing date of the Higgins reference. In this regard, Applicant notes that the Higgins patent, which issued after the filing date of the subject application, has a December 1, 1997 U.S. filing date. Since this application was filed on

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<sup>1</sup> Executed copy of Declaration to follow under separate letter.